2: Hudson E-4, 5 (1936) 1938 EQ2 Kazak EQ8

son beau-père, où l'attendent les compliments et les félicitations . . . . Si, au contraire, le mari n'a pas trouvé sa femme dans l'état d'innocence, il a le droit de tuer le cheval, de déchirer la robe, de briser la tente à coups de sabre, et après avoir ainsi couvert d'ignominie l'impudente, il peut exiger du père ou le kalym acquitté ou une autre de ses filles, et sans aucun payement.

Levshin mentions in passing that these vigorous manifestations of feeling had in his day lost a great deal of their force.[80]

A certain tacit social sanction, however, was given to pre-marital sex relations with a fiancée by the custom of permitting a man who had already paid the greater part of the kalym to visit his betrothed secretly at night in a kibitka set up for her by her brothers and sisters.[81] He was expected, however, to depart early in the morning before the parents of the girl emerged from their own dwelling. His early departure was of course a gesture to convention because the girl's parents naturally knew of the extra kibitka and their daughter's absence from their own. Radlov adds that this arrangement gave the girl opportunity to carry on love affairs with other young men of neighboring auls.

It is difficult to get detailed information on illegitimacy. My informants said there would not be any; the girl would always get married. Tlenshiev finally said that the child might be aborted or exposed on the steppe "so that her parents would not know." How they were kept ignorant during the period of pregnancy is not clear but it is obvious that to bear a child out of marriage or certainly without being betrothed was considered a disgrace.

Rudenko[82] writes that women rarely resort to abortion. When they do they drink an infusion of herbs with mercury or construct a small type of sweat house in which mercury is thrown over red-hot stones. The vapor of the mercury is supposed to produce the desired effect. One of my informants said that the mullah performed abortions but the others scoffed at the idea.

Grodekov[83] confirms the information about the rarity of illegitimacy.

It is impossible to say anything about the illegitimate children of young girls, because in the steppes all young girls go out and get married. In the Kazalinsk district they bury them [the children] in the ground.

Elsewhere Grodekov reports that an unmarried girl who bears a child will marry the father of the child. Her relatives are usually able to claim from him at least a part of the bride price and if she is young, beautiful and of good family perhaps the whole amount.[84]

Adultery, by the old Mongol code[85] and also by the Kazak code credited to the Khan

[80] See also Dingelstedt, *Le Droit coutumier*, 150.
[81] Radlov, *Aus Sibirien*, 1: 477.
[82] *Ocherk Byta . . . Kazakov*, 49.
[83] *Kirgizy i Karakirgizy*, 97.
[84] See Dingelstedt, *Le Droit coutumier*, 150.
[85] Riasnovskii, *Customary Law of the Mongol Tribes*, 57.

593 fourth time are they obliged to return what they have taken. The
685 son of a married daughter, who has not succeeded in being granted something from his grandfather, takes it without permission and does not give it up for /34/ the first three times. The fourth time the bii sentences him to return the thing without a penalty, but a penalty is fixed for a fight at the time the thing is taken. All this relates also to the close kinsmen in general.

When the thief denies his guilt, the bii interrogates witnesses, but he is not sworn among kin. Incidentally the bii consoles the father (or kinsman) by the fact that he takes from the son in his turn when the latter becomes rich (collected in the Perovsk uyezd).

593 Patricide is unknown in the steppe. For this crime they would
682 banish the offender from the society after a preliminary disgrace E. A. Aleksandrov, assistant to the chief of the Kazalinsk uyezd, says that the customary law is silent concerning patricide. The killing of children can happen by mistake, and in such a case it is not punished. (1)

●[847] 1. It sometimes happens that the Kazakhs in a fit of anger and in general in matters of dispute, in showing their opposition throw their children under the /horse's ?/ legs of the adversaries, who not infrequently trample them in fighting. Women especially practise this kind of opposition, throwing unweaned children under the feet of horses. Wergeld
[628] in such cases is sought from the persons in the tent or in the village.

593 Children who have not received their allotment cannot have their own separate property. But once they have received their allotment the father ceases to distribute his property to them.

[882] Until the age of 12-15, children are not yet of serious mind
[675] (akyl toktatpaidy), and therefore sales, purchases, loans and other arrangements by them are invalid. Buying and selling done against the will of the father by a son who has not yet received his allotment is not broken.

The power of the mother rests on the power of the father. Children obey her for fear that she will tell the father.

When a father wishes to free himself from an incorrigible son, he gives him a small allotment, leaving him to his own devices to earn the kalym /bride price/ if he is unmarried. If this son is already married, the father expels him without an allotment, leaving him to earn

588 question, if they do not come to terms with their lovers, demand payment in court for their service. Such a complaint took place in the Kazalinsk uyezd in 1887, by a woman who had lived with a man more than 10 years. The bii rejected her suit against the man.

586 If after the departure of the husband a child is born after 9 months and 10 days or more, the husband divorces the wife, and she 837 marries her lover, who pays the former husband a kalym, either his daughter or a kinswoman. If the husband does not wish a divorce, he 848 receives the wife with the strange child and a fine from the lover of 2-3 camels (in former times he received a full kalym). If the child was conceived by the lover, but not during the absence of the father, it is considered the lawful child of the husband. According to Torgai, children of widows, born out of wedlock, remain /97/ with her until her death. Before she dies they ask about their father and look for him.

848 It is impossible to speak of illegitimate children of unmarried girls, according to Torgai, for on the steppe all the girls marry (kyz dalada kalmaydy). In the Kazalinsk uyezd such children are buried in the ground. According to Aleksandrov and Makovetskii, a child born of a widow and the brother of her deceased husband is considered a legitimately born member of the family. (1)

1. Staff Captain Grombchevskii reports the following concerning the attitude of the Kirgiz of the Fergana region to illegitimate children. Bringing a child into the world from fornication not only covers the family of the girl with shame, but also her entire clan. In order to avoid the scandal they try to marry the girl upon the first signs of pregnancy. When this is not successful, they have recourse to stopping the prenancy. This is either done mechanically, or by giving the patient an infusion of the "usma" plant, or finally they put the child to death immediately after birth. Illegitimate children do not succeed the father, and are usually banished from the village as soon as they are big enough to herd livestock or to support themselves by other means. They are called kharam, kharmzade, valadizina, and in the Ketmen-Tiube volost also gartakum (born of a libertine). There are cases, however, when the birth of a child out of wedlock is not considered a scandal, namely, 1) from a groom and bride, if they later marry, 2) from a widow and

[847]